

Office of Thrift Supervision, Treasury

§ 563.3

- 563.43 Loans by savings associations to their executive officers, directors and principal shareholders.
563.47 Pension plans.

Subpart C—Securities and Borrowings

- 563.74 Mutual capital certificates.
563.76 Offers and sales of securities at an office of a savings association.
563.80 Borrowing limitations.
563.81 Issuance of subordinated debt securities and mandatorily redeemable preferred stock.
563.84 Transfer and repurchase of government securities.

Subpart D—[Reserved]

Subpart E—Limits Tied to Capital Levels

- 563.133 [Reserved]
563.134 Capital distributions.

Subpart F—Financial Management Policies

- 563.161 Management and financial policies.
563.170 Examinations and audits; appraisals; establishment and maintenance of records.
563.171 [Reserved]
563.173 Forward commitments.
563.174 Futures transactions.
563.175 Financial options transactions.
563.176 Interest-rate-risk-management procedures.
563.177 Procedures for monitoring Bank Secrecy Act compliance.

Subpart G—Reporting and Bonding

- 563.180 Suspicious Activity Reports and other reports and statements.
563.181 Reports of change in control of mutual savings associations.
563.183 Reports of change in chief executive officer or director; other reports; form and filing of such reports.
563.190 Bonds for directors, officers, employees, and agents; form of and amount of bonds.
563.191 Bonds for agents.
563.200 Conflicts of interest.
563.201 Corporate opportunity.

AUTHORITY: 12 U.S.C. 375b, 1462, 1462a, 1463, 1464, 1467a, 1468, 1817, 1828, 3806.

SOURCE: 54 FR 49552, Nov. 30, 1989, unless otherwise noted.

Subpart A—Accounts

§ 563.1 Chartering documents.

(a) *Submission for approval.* Any *de novo* savings association prior to commencing operations shall file its char-

ter and bylaws with the OTS for approval, together with a certification that such charter and bylaws are permissible under all applicable laws, rules and regulations.

(b) *Availability of chartering documents.* Each savings association shall cause a true copy of its charter and bylaws and all amendments thereto to be available to accountholders at all times in each office of the savings association, and shall upon request deliver to any accountholders a copy of such charter and bylaws or amendments thereto.

[57 FR 14344, Apr. 20, 1992]

§ 563.2 Simple form of certificate; passbooks.

A mutual savings association which, in accordance with State law, includes in its charter, constitution, or bylaws a clear provision that all shareholders are members and shall share equally in earnings and in assets (except for bonus payments under a bonus plan) pro rata to paid-in value, plus credited dividends, and that the savings association shall not directly or indirectly charge any membership, admission, repurchase, withdrawal, or any other fee or sum of money for the privilege of becoming, remaining, or ceasing to be a member of the savings association, may issue a simple form of savings or investment certificate or a passbook, which need not contain any membership certificate or any statement of the dividend, withdrawal, or other rights of members.

§ 563.3 Long form of membership certificate.

Every share, membership, or deposit certificate, passbook or other instrument evidencing a withdrawable investment hereafter issued by a savings association, which pays or proposes to pay a different rate of dividends or interest upon different classes of shares or securities, which prefers, or proposes to prefer, either as to time or amount of participation in earnings or assets (except by way of a bonus plan), any one or more classes of shares or securities, or which charges directly or indirectly any membership, admission, repurchase, withdrawal, or any other fee